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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/545,739	04/10/2000	David A. Block	MYTEP002	2486

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EXAMINER

WILLETT, STEPHAN F

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 02/09/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/545,739

Applicant(s)

Block et al.

Examiner

Stephan Willett

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 8, 2003
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 24-36 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 24-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 24-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bergh et al. with Patent Number 6,112,186 in view of Richard et al. with Patent Number 6,289,348.
3. Regarding claim(s) 24, Bergh teaches a information filtering based in users' relations in a communication network via home pages, col. 26, lines 44-47. Bergh teaches a first personalized home page personal to the user, col. 3, lines 23-31 and of a team, col. 3, lines 37-39. Bergh teaches a team's page, col. 3, lines 41-44 with information and schedules, col. 3, lines 31-36. Bergh teaches a second team's page, col. 3, lines 41-44 with information and schedules, col. 3, lines 31-36. Bergh teaches access levels between members, col. 31, lines 49-54, 59-67. Bergh teaches the invention in the above claim(s) except for explicitly teaching its application to an organized sports league. In that Bergh operates to organize related data, the artisan would have looked to the data server arts for details of implementing organized sports team data. In that art, Richard, a related network data organization system teaches allowing "many individuals to electronically register as members of the organization", col. 3, lines 43-44 in order to provide the

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structured data. Richard specifically teaches “registration and organization of a sports league”, col. 4, line 27. Further, Richard suggests “the remote user terminals allow remote users to access computer programs and databases”, col. 4, lines 1-2 that will enable control their data, except by an authorized system administrator. The motivation to incorporate sports teams insures that the system meets diverse requirements. Thus, it would have been obvious to one of ordinary skill in the art to include sports teams as taught in Richard into the database described in the Bergh patent because Bergh operates with various organized teams and Richard suggests that optimization can be obtained with sports teams. Therefore, by the above rational, the above claim(s) are rejected.

4. Regarding claim(s) 25, 27-28, Bergh teaches members and groups are part of community areas, col. 16, lines 43-61, col. 31, lines 39-67 and col. 7, lines 54-58.

5. Regarding claim(s) 26, Bergh teaches members and groups are part of leagues, col. 26, lines 52-54.

6. Regarding claim(s) 29, Bergh teaches access levels between members, col. 31, lines 49-54, 59-67.

7. Regarding claim(s) 30-33, Bergh teaches facilitating new member invitations that a non-member can accept, col. 26, lines 58-63 and col. 27, lines 29-43, and advertisements to users to join a group with a common interest, col. 31, lines 39-43.

8. Regarding claim(s) 34, Bergh teaches administrator control to send additional information, col. 31, lines 26-29, such as an invitation, col. 27, lines 29-43.

9. Regarding claim(s) 35, Bergh teaches administrator can assign or determine access

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capability of members, col. 31, lines 18-26, col. 31, lines 55-59.

10. Regarding claim(s) 36, Richard teaches a child member in a youth sports teams, col. 1, lines 27, 56.

Response to Amendment

11. The broad claim language used is interpreted on its face and based on this interpretation the claims have been rejected.

12. The limited structure claimed, without more functional language, reads on the references provided. Thus, Applicant's arguments can not be held as persuasive regarding patentability.

13. Pursuant to MPEP 2111.02, the weight afforded the preamble of the claim is many times not that clear. In the present claims, the preamble has been ignored in interpreting the claims, for example, with regard to "an organized sports league".

14. Applicant's arguments fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the cited portions of the references and relevant portions of the reference.

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Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is disclosed in the Notice of References Cited. The other references cited teach numerous other ways to perform selectively controlled access to community web pages, thus a close review of them is suggested.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephan Willett whose telephone number is (703) 308-5230. The examiner can normally be reached Monday through Friday from 8:00 AM to 6:00 PM.

17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

18. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9605.

sfw

December 17, 2003


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER